

# San Diego Union Tribune

## Prison guard lockdown?

By Ed Mendel

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SACRAMENTO -- How could a Schwarzenegger administration plan to introduce a bill giving a 5 percent pay raise to prison guards fail?

Let's count the ways.

First, the state faces an estimated \$10 billion budget shortfall next year, which could grow into an even more serious problem if the economy weakens further.

Second, the union thinks the pay-raise bill will contain proposals for "give backs" on work rules at the heart of a dispute that has left the union without a contract since July 2006.

And last but not least, the union gave \$500,000 this week, with more likely to come, to the campaign against Proposition 93, a term-limit initiative on the February ballot that could extend the careers of legislative leaders.

The union's switch from support to oppose on Proposition 93 was viewed by some as payback for legislative leaders, who scuttled a union-backed pay bill that would have bypassed the deadlocked contract talks.

Now a new pay bill could face payback from legislators barred from running for re-election if Proposition 93 fails -- notably Assembly Speaker Fabian Nunez, D-Los Angeles, and Senate President Pro Tempore Don Perata, D-Oakland.

The Schwarzenegger administration plans to introduce a pay bill as part of its imposition of the "last, best and final" offer, a step taken under labor law after months of rancorous negotiations and a formal mediation failed.

"We are committed to it (the pay bill)," said Lynelle Jolley, a spokeswoman for the state Department of Personnel Administration. "But obviously, this is all part of the larger budget questions that the Legislature will have to weigh in on."

What happens if the administration pay bill fails because of the budget deficit, union opposition to give-back provisions or a not-so-subtle derailment by legislative leaders?

"We will wait for the next group of leaders in the Assembly and the Senate to determine that," said Ryan Sherman, a spokesman for the California Correctional Peace Officers Association.

The prison guards, sworn law enforcement officers, have a rare if not unique public employee union that gets political support from Republicans as well as the traditional Democratic support for unions.

Some legislators have said labor peace with the powerful guard union is needed to help implement a \$7.4 billion plan enacted this year to ease severe prison overcrowding.

The combative prison guard union opposed the plan, AB 900, which among other things authorizes 53,000 new beds, the transfer of up to 8,000 inmates to out-of-state prisons and increased rehabilitation programs.

The federal courts, responding to inmate lawsuits, have taken control of health care in the troubled prison system and appointed several special masters to monitor mental health and other programs.

A big concern that prompted enactment of the reform bill is that a three-judge panel may impose a population cap on the overcrowded prisons, resulting in the early release of thousands of inmates.

Some think that a court order causing widespread early releases would be blocked by appeals for several years. Assembly Republicans, sounding an early alarm, unveiled a Web site today showing their view of the potential impact of early releases.

"Our new web site informs Californians about the cap being considered by the federal courts and how their safety could be affected," Assembly Republican Leader Mike Villines of Clovis said in a statement.

The web site: [http://republican.assembly.ca.gov/prison\\_cap](http://republican.assembly.ca.gov/prison_cap)